

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

**MISAELO ALO ACOSTA
BUSTILLO,
Plaintiff,**

v.

**PACIFIC SPECIALTY
INSURANCE COMPANY,
Defendant.**

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EP-16-CV-524-PRM

ORDER OF DISMISSAL

On this day, the Court considered Plaintiff Misael Alo Acosta Bustillo and Defendant Pacific Specialty Insurance Company’s “Joint Stipulation of Dismissal” (ECF No. 13) [hereinafter “Stipulation”], filed on February 2, 2017, in the above-captioned cause. Therein, the Parties jointly stipulate to a dismissal of this action with prejudice. Stipulation 1.

Federal Rule of Civil Procedure 41(a)(1)(A) states that a “plaintiff may dismiss an action without a court order by filing . . . a stipulation of dismissal signed by all parties who have appeared.” In this case, all pertinent parties have signed the motion. Stipulation 2. Additionally, the dismissal of a case is without prejudice unless, as here, “the notice or stipulation states otherwise.” Fed. R. Civ. P. 41(a)(1)(B). Therefore, the

Court is of the opinion that the above-captioned cause should be dismissed with prejudice.

Accordingly, **IT IS ORDERED** that Plaintiff Misael Alo Acosta Bustillo and Defendant Pacific Specialty Insurance Company's "Joint Stipulation of Dismissal" (ECF No. 13) is **ACCEPTED**.

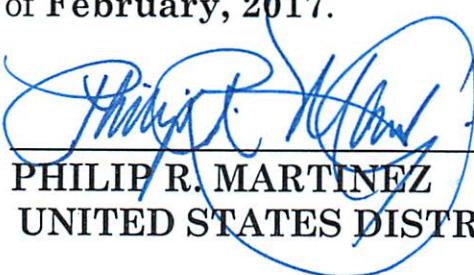
IT IS FURTHER ORDERED that the above-captioned cause is **DISMISSED WITH PREJUDICE** with each party to bear its own costs.

IT IS FURTHER ORDERED that all settings in this matter are **VACATED**.

IT IS FURTHER ORDERED that all pending motions in this cause, if any, are **DENIED AS MOOT**.

FINALLY, IT IS ORDERED that the Clerk shall **CLOSE** this case.

SIGNED this 2 day of February, 2017.



PHILIP R. MARTINEZ
UNITED STATES DISTRICT JUDGE